CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	Force	☑ Discourt.	☐ U.S.
John Hanley		Squad #10	201606271	☑ Abuse	O.L.	☐ Injury
Incident Date(s)		Location of Incident:	•	Precinct:	18 Mo. SOL	EO SOL
Tuesday, 07/19/2016 4:15 PM		the 110th Precinct Stati	d § 87(2)(b) and ionhouse.	115	1/19/2018	1/19/2018
Date/Time CV Reported		CV Reported At:	How CV Reported:	: Date/Tin	ne Received at CCI	RB
Tue, 07/19/2016 10:10 PM		Other	On-line website	Tue, 07/2	19/2016 10:10 PM	
Complainant/Victim	Type	Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. POM Michael Carrieri	31971	930412	110 PCT			
2. SGT Minh Tran	00750	929274	110 PCT			
Witness Officer(s)	Shield N	o Tax No	Cmd Name			
1. POM Anthony Jones	17923	944684	110 PCT			
2. SGT Francis Margraf	03006	900472	110 PCT			
Officer(s)	Allegatio	on		Inv	vestigator Recon	nmendation
A.POM Michael Carrieri		an and the street of the stree		queens, n which		
B.POM Michael Carrieri	Queens, l	esy: At ^{\$ 87(2)(b)} Police Officer Michael (ously to ^{\$ 87(2)(b)} ^{\$ 87(2)}	and § 87(2)(b) Carrieri spoke	in		
C.POM Michael Carrieri	Queens, l	esy: At § 87(2)(b) Police Officer Michael (7(2)(b) § 87(2)	and § 87(2)(b) Carrieri acted discou	in orteously		
D.SGT Minh Tran	Abuse: A Tran did officer.	at the 110th Precinct State not process \$\frac{8.87(2)(b)}{5.87(2)} \bigset{\frac{8.87(2)}{5.87(2)}}	tionhouse, Sergeant 's complaint regardi	Minh ng an		

Case Summary

On July 19, 2016, \$87(2)(b) \$87(2) and herself. The complaint was referred to the CCRB on the same date.

On July 19, 2016, at around 4:15 PM \$\frac{87(2)(0)}{8}\$ was pulled over at and \$\frac{87(2)(0)}{8}\$ in Queens by an unmarked sedan which contained PO Michael Carrieri and PO Anthony Jones of the \$110^{th}\$ Precinct for allegedly failing to signal a left turn (**Allegation A**). \$\frac{87(2)}{8}\$ provided his identification to PO Carrieri who returned to the unmarked vehicle while \$\frac{87(2)}{8}\$ spoke to PO Jones, and argued that he had not failed to signal. PO Carrieri returned to the vehicle a few moments later stating that \$\frac{87(2)}{8}\$ liked to \$\frac{87(2)}{8}\$ and called him disgusting (**Allegation B**). PO Carrieri then allegedly tossed \$\frac{87(2)}{8}\$ identification at him through the driver's side window (**Allegation C**), while continuing to berate him regarding his \$\frac{87(2)}{8}\$ (within **Allegation B**). No arrest or summonses were issued as a result of this stop.

A few hours after the stop, \$37(2) and his wife, \$37(2)(0) went to the 110th Precinct stationhouse in order to complain about the incident. They spoke to Sergeant Minh Tran, Anti-Crime supervisor, and presented him with a video recording of the incident. Sgt. Tran allegedly refused to take the complaint, arguing that \$37(2) and \$37(2) were not providing sufficient details regarding officer descriptions (Allegation D). \$37(2) and \$37(2) left the stationhouse without filing a complaint. This case was submitted for closing after the 90 day benchmark as it was sent to mediation on August 8, 2016 and returned to the Investigation Unit on August 29, 2016.

Video Footage

solution and second interaction with the subject officers on July 21, 2016. The investigation also obtained footage from TARU surveillance cameras which capture the vehicle stop (See Board Review 02). The TARU footage however, does not capture audio and is too far from the incident location to capture the discourteous action allegation.



201606271 20160728 1523 DM.MOV

Mediation, Civil and Criminal Histories

No notice of claim has been filed with the NYC Comptroller's office as of November 2016 regarding this incident.
§ 87(2)(b)

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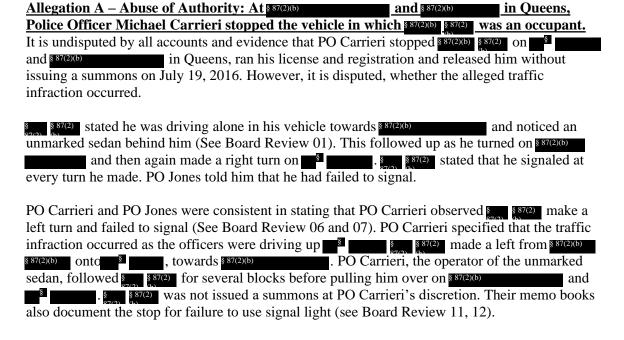
§ 87(2)(b) § 87(2)(b)

Civilian and Officer CCRB Histories

- This is \$ \$87(2) and \$ \$87(2) 's first CCRB complaint.
- PO Carrieri has been a member of service for thirteen years. He has six previous CCRB complaints against him with a total of seventeen allegations. PO Carrieri has one prior substantiated case. In CCRB# 201501713, an allegation of a vehicle search was substantiated against him with the Board recommending Command Discipline A. The NYPD concurred with the Board's recommendation. He has two open cases with a total of nine allegations against him. PO Carrieri's prior CCRB history reveals no pattern applicable to this complaint.
- Sgt. Tran has been a member of service for fifteen years. He has four previous CCRB complaints against him with a total of fourteen allegations. He has no prior substantiated complaints, though two previous cases with a total of eight allegations are still open. There is no discernable pattern in Sgt. Tran's CCRB history applicable to the current complaint.

Findings and Recommendations

Explanation of Subject Officer Identification: The vehicle stop, discussed below in Allegation A, is being pleaded against PO Carrieri as PO Carrieri and PO Jones both acknowledged that it was PO Carrieri who observed (\$372) 's traffic infraction and made the decision to pull him over.

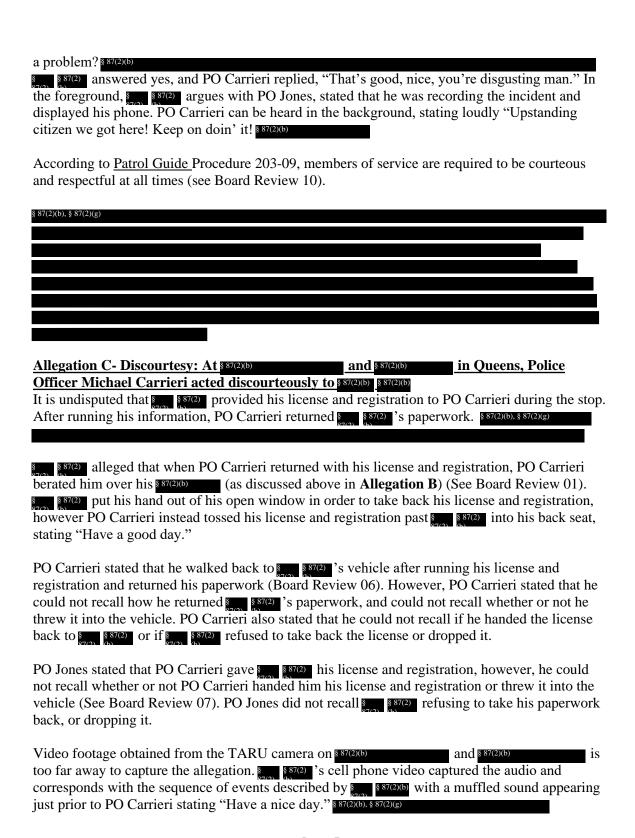


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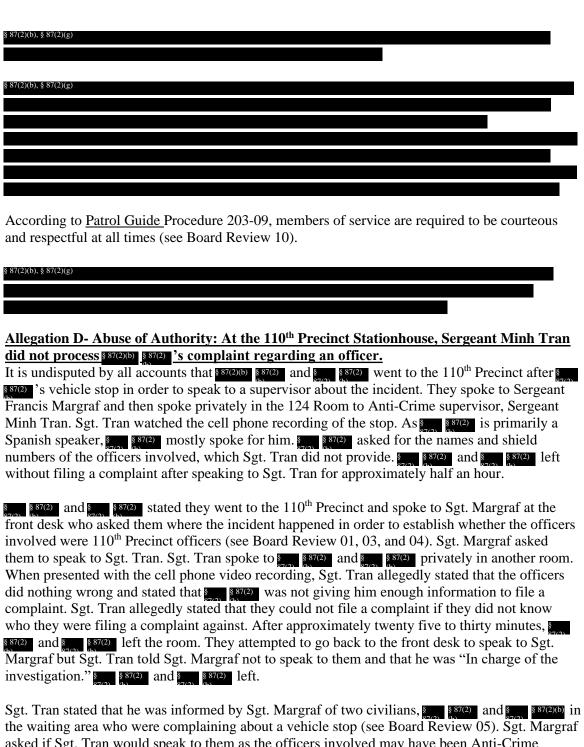
Video footage obtained from a TARU surveilladoes not capture the traffic violation, several blocks away (Board Review	n as it allegedly occurred or	and § 87(2)(b) and
§ 87(2)(b), § 87(2)(g)		
		_
Allegation B- Discourtesy: At \$87(2)(b)	and § 87(2)(b) in	n Queens, Police
Officer Michael Carrieri spoke discourteous		i Queens, i once
§ 87(2)(b)	<u></u>	
stated that he was pulled over and as provided (See Board Review 01). PO Carrieri side, speaking with him. When PO Carrieri ret was giving PO Jones a hard time. \$87(2)(b)	went back to his unmarked remained by \$\frac{8}{27(2)} \frac{8}{27(2)} \frac{8}{27(2)} \frac{7}{2} \text{s vel}	sedan in order to run hicle on the passenger
PO Carrieri stated that when he pulled over Board Review 06). Stated he had no registration and PO Carrieri went back to his u where he learned of \$\frac{8}{57(2)}\$ \$\frac{8}{57(2)}\$'s \$\frac{8}{57(2)}\$(b)	arrests. § 87(2) then prov	ided his license and
§ \$87(2)(b)	§ 87(2)	
e7/2) ** * * * * * * * * * * * * * * * * *	97/2) (k)	§ 87(2)
		§ § 87(2) (b)
§ 87(2)(b)		
TTI C		. 1 11 6.1

Video footage of the stop, recorded by (a) on his cell phone only captured audio of the incident as (see Board Review, Video Footage). (See Board PO Jones can be heard discussing the alleged traffic infraction and a third voice, identified by all parties as that of PO Carrieri then stated "is this guy still giving you

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Sgt. Tran stated that he was informed by Sgt. Margraf of two civilians, and stated in the waiting area who were complaining about a vehicle stop (see Board Review 05). Sgt. Margraf asked if Sgt. Tran would speak to them as the officers involved may have been Anti-Crime officers. See S87(2) asked to speak in private so Sgt. Tran moved with see S87(2) and see S87(2) to the 124 Room. Sgt. Tran attempted to speak directly to see S87(2) however see S87(2) interjected and would not let see S87(2) speak. S87(2) was irate and yelling. She wanted to know the names

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and shield numbers of the officers involved in the stop. Sgt. Tran did not provide this information. When presented with the video recording of the incident, Sgt. Tran stated that he heard no foul language or anything improper and continued to yell and rant, stating she was not happy with how he was conducting the investigation and wanted to speak to someone else. Sgt. Tran listened and "Let her vent." abruptly got up with satisfactory and left. At no time did satisfactory or satisfactory tell Sgt. Tran that they wanted to file a complaint. Sgt. Tran called out after them, that if they wished to file a complaint they could come back any time or fill out a form online.

Sgt. Margraf stated that state and state appeared at the stationhouse, upset regarding a vehicle stop in the confines of the 115th Precinct (see Board Review 08). Sgt. Margraf briefly discussed the incident in order to determine if the officers involved were 110th Precinct officers despite the location. He had the civilians wait in the 124 Room while he went to the muster room to speak to Sgt. Tran and determined the officer who initiated the stop was PO Carrieri. Sgt. Margraf asked Sgt. Tran to speak to the civilians. Sgt. Tran went to the 124 Room and spoke to present for this conversation but remained by the front desk. Sgt. Margraf stated that at no point in his presence did state of the st

§ 87(2)(b), § 87(2)(g)			
Squad:			
Investigator:	Signature	Print	 Date
Squad Leader:	Title/Signature	Print	Date
Reviewer:	Title/Signature	Print	 Date

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